

The Regular Meeting of the
Brian Head Town Council
Town Hall - 56 North Highway 143,
Brian Head, UT 84719
TUESDAY, NOVEMBER 25, 2014 @ 1:00 PM

Roll Call.

Members Present: Mayor H.C. Deutschlander, Council Member Jim Ortler, Council Member Clayton Calloway, Council Member Reece Wilson.

Members Absent: Council Member Larry Freeberg.

Staff Present: Bret Howser, Nancy Leigh, Molly Cosby, Wendy Dowland, Tom Stratton, Cecilia Johnson

A. CALL TO ORDER

Mayor Deutschlander called the regular meeting of the Brian Head Town Council to order at 1:00 pm.

B. PLEDGE OF ALLEGIANCE

Mayor Deutschlander led the Council and others in the Pledge of Allegiance.

C. DISCLOSURES

There were no conflicts of interest with today's agenda items. Mayor Deutschlander stated that the disclosure statements are on file at the Town Clerk's office and are available for public inspection during normal business hours.

D. APPROVAL OF THE MINUTES:**1. October 28, 2014 Town Council Closed Session Meeting.**

Motion: Council Member Calloway moved to approve the October 28, 2014 Town Council closed session minutes. Council Member Ortler seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes: Council Member Calloway, Council Member Ortler, Council Member Wilson, Mayor Deutschlander. Excused: Council Member Freeberg).**

2. November 10, 2014 Town Council Meeting

Motion: Council Member Ortler moved to table the November 10, 2014 Town Council minutes. Council Member Calloway seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes: Council Member Calloway, Council Member Ortler, Council Member Wilson, Mayor Deutschlander. Excused: Council Member Freeberg).**

E. PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items

Council Member Ortler reported that Korner Café, located at the Mall, is now opened as of November 24th. They will be serving breakfast and lunch.

Mayor Deutschlander

1. Distributed a letter from the Iron County Coordinating Council (see attached) to the Iron County Commissioners regarding the county ambulance service. Mayor Deutschlander reported the county is considering a private service vs. the current county owned service. The letter to the County Commissioners is signed by all of the Mayors in Iron County requesting the county consider using the Sheriff's office for running the ambulance service as a one year probation term in order to initiate the budget cuts and take measures to improve the service. Mayor Detuschlander reported he will continue to update the Council and public on this issue.
2. Updated the Council and public on locations throughout Iron County that can address arthritis issues.
3. During the last several meetings with the Community Impact Board (CIB), the board has stressed the importance of having a project that may be identified for funding be identified on the municipality's Capital Improvement Project list, otherwise it will not be considered for funding from either CIB or the Community Development Block Grant (CDBG) boards.



Approved December 9, 2014

Bret Howser, Town Manager, reported he attended the Steam Engine Meadows Homeowners Association meeting in St. George earlier this week. The town currently owns eight (8) lots in the Steam Engine Meadows development. One item of discussion was an interest in pursuing a Special Assessment Area (SAA) for Phase III of the subdivision. The homeowners association asked Bret to initiate a conversation with the Council for a possible SAA in the near future. Bret reported he will bring this item back to Council in a future meeting.

Tom Stratton, Public Works Director, updated the Council on the status of the Bearflat well repair. Tom reported the excess casing has been pulled and the well will be videoed next week. The town is hoping to be pumping water by next week at which time the town will then present its water tests to the state for compliance before bringing the well into the town's system. Discussion was held regarding the time frame for bringing the well online so that the resort can utilize the water for their snowmaking system.

Cecilia Johnson, Town Treasurer, thanked the Council for the holiday dinner that was held last week. Cecilia reported the dinner was a success this year.

Mac Hatch, Brian Head Resort, expressed his concerns on the importance of the snowmaking the resort does in order to open the resort as early as possible. Mr. Hatch stressed the importance of bringing the Bearflat well online so that the resort has the ability to continue the snowmaking at a higher capacity. Mac reported the limitation of the water this year has limited the amount of snow they are able to make and encouraged the Council to identify the dedicated waterline from the town hall well to the mammoth tank project as a priority since it would allow the resort to pump more water for snowmaking and could guarantee an opening by Thanksgiving. Mac encouraged the Council to prioritize this project during the next budget retreat.

Mac went on to report the new snowmaking equipment has the ability to pump up to 3,500 gallons of water per minute if the weather is cooperating. Currently the resort has been averaging 435 to 445 gpm into the reservoir at this time.

The Council held discussion on the following:

1. The Woodbridge pump station is not online for the snowmaking due to the road collapse during the construction of Bristlecone Pond. The waterline was damaged and staff is waiting until the ground settles completely before they can repair the line and bring it back online.
2. The Bearflat well has more water capacity to produce more water than the Crystal Mountain well has.
3. The dedicated waterline project is scheduled for 2017 according to the town's water capital facilities plan.
4. The town first priority is to provide culinary water and fire suppression.
5. Mayor Deutschlander reminded the Council that in order to apply for CIB funding for projects, the project must be identified on the town's capital improvement project list.
6. The town is making every effort to supply the needed water to the resort for snowmaking.

Mac reported he will be attending future Council meetings to discuss this topic again.

F. AGENDA ITEMS:

1. COMCAST INTERVIEW WITH COUNCIL MEMBER ORTLER. An interview with Council Member Ortler on Brian Head.

Council Member Ortler explained that during the annual Utah League of Cities and Town convention in Salt Lake City earlier this year, he was asked if he would do an interview with Comcast on Brian Head Town. Council Member Ortler reported that within the last ten days, he has received numerous texts and emails from people reporting they have seen the interview on Comcast in the Wasatch area.

The interview was then played for the Council and public in which Council Member Ortler gave a brief history of Brian Head and commended the resort on their improvements that they have made recently.

2. BRANDING RECOMMENDATION. Recommendations from the Branding Committee on a new town logo.

Molly Cosby, Marketing & Event Coordinator, presented the Council with some proposed logo designs the Branding Committee has been working on (see attached). Molly explained the town hired LEBO Designs to create a logo for Brian Head which also represented the new town slogan "Four Seasons of Fun".

Molly explained during a previous Council meeting on the logos, the Council had concerns with the number of colors identified in some of the proposed logos and requested the Branding Committee continue working on a suitable logo for the town. The Branding Committee is presenting a logo in different colors for the Council's input.



The Council held discussion on the following:

- The Branding Committee revised the proposed logos from LEBO Designs in which they removed the trees from the logo design, leaving the mountain scape in two colors.
- The grey/white logo represents Brian Head with the rock and snow and the two different greens gives some color to the design.
- Council Member Calloway committed that he is not impressed with the proposed logos and recommended the Council forego any further study on the logo and stay with the town's existing logo.
- Once the branding is completed for Brian Head, the town will then move forward with changing out the signs, kiosks and vehicle logos over a period of time as the budget allows. This would also include the two welcome signs at each entrance to Brian Head.
- Once the initial decision is made on the logo, the style guide will be developed for a strong brand along with developing the fonts, colors, etc. All of which will be identified on all town produced documents, signs, etc.
- Mayor Deutschlander commented he is not in favor of the proposed logos and would recommend staying with the current town logo.
- One of the items the Branding Committee addressed was to keep the logo simplistic and reduce the number of colors in the design.
- The proposed logo is more of a symbol than a picture of mountains.
- Bob Whitelaw, Branding Committee member, reported the logo with the trees had eleven colors and in an effort to reduce the number of colors, the committee eliminated the trees from the design.
- Council Member Wilson suggested the public should have some input on the design.
- The majority of the Council preferred the peak with the trees vs. the peak alone.
- The town could still have different logos such as the peak alone and also the trees in the design.

Bret Howser, Town Manager, summarized the branding process in which the town hired an outside designer to propose some logos, which several Council Members are not in favor of. The town can stay with the current logo or can spend more money on a new approach, or leave it to staff for an administrative decision.

Consensus of the Council: The logo design will be an administrative decision based off of the Branding Committee's recommendation.

Council Member Calloway requested staff to show how it is produced on a business card to see how it looks along with where the town is going to be using the logo.

3. **PARKS, ARTS & RECREATION TAX ORDINANCE.** An ordinance approving the 0.1% PAR Tax reauthorization for a period of ten years.

Cecilia Johnson, Town Treasurer, presented a draft ordinance reauthorizing the Parks, Arts, and Recreation (PAR) tax of 0.1% for a period of ten years (see attached). Cecilia explained the PAR tax proposition was on the November 4, 2014 election ballot and was approved by the majority of voters.

Motion: Council Member Calloway moved to adopt Ordinance No. 14-009, an ordinance reauthorizing the Parks, Arts and Recreation (PAR) tax in the amount of 0.1% for a period of ten (10) years. Council Member Ortler seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member Calloway, Council Member Ortler, Council Member Wilson, Mayor Deutschlander. **Excused:** Council Member Freeberg).

4. **HEALTH INSURANCE CONTRACT APPROVAL.** Approval of the health insurance contract with PEHP for the 2015 year.

Bret Howser, Town Manager, explained that during a previous Council meeting, the Council directed staff to pursue the PEHP Star 2500 contract for the 2015 health insurance plan. Bret explained the deductible is now \$5,000 per family and the town will be contributing to the employee's HSA account in the amount of \$3,600.

Motion: Council Member Ortler moved to approve the PEHP Star 2500 contract for the 2015 year for the employees' health plan and authorize the Town Manager to sign the contract. Council Member Calloway seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member Calloway, Council Member Ortler, Council Member Wilson, Mayor Deutschlander. **Excused:** Council Member Freeberg).



5. NUISANCE AND NOISE DISCUSSION. A discussion on the current noise and nuisance codes currently identified in the Brian Head Town Code.

Nancy Leigh, Town Clerk, explained that during a previous Council meeting, the Council directed staff to identify the noise and nuisance ordinances currently identified in the town code. Nancy explained the current town code identifies 18 chapters addressing nuisances and 8 chapters addressing noise. Nancy reported Council Member Calloway has also presented other municipality's codes pertaining to noise and nuisances (see attached).

The Council held discussion on the following:

1. Council Member Wilson reported he has spoken with Chief Benson regarding this item and it was his recommendation to leave the code as is. Council Member Wilson went on to comment he believes that there is not a problem with the current code addressing nuisances and noise within the town and feels this could be a way to deter business in Brian Head.
2. Council Member Ortler inquired if there is a problem with the either of these items. Bret Howser, Town Manager, explained Council Members have brought this item up in the past and staff identified all of the chapters in the code addressing noise and nuisances.
3. Council Member Ortler commented in reviewing the handout from Council Member Calloway, he has concerns such as chainsaw use along with restrictive snow removal times which would not be beneficial to the town.
4. Council Member Calloway reported that under the current nuisance code, the snowmaking guns are identified as a nuisance in which there are no exceptions. He would like to identify exceptions in the code.
5. Bret explained that if there are complaints, the officers can address those as they arise and allow them to use their discretion on each complaint.
6. The current nuisance code identifies that if three (3) people complain on an issue, it becomes a nuisance and the town would be required to take action.
7. Council Member Wilson commented in his discussion with Chief Benson, he reported the biggest noise complaints the department receives are from parties.
8. Council Member Wilson commented that it sounds like the town would be favoring the resort as it pertains to possible exceptions but not the rest of the businesses in town. Council Member Wilson expressed his concerns that the code could be used to bully people.
9. If the town were to identify exemptions it would clarify the nuisance code. The town has not received complaints on the noise from snow removal services or snowcats that are grooming in the middle of the night. Council Member Ortler stated that this has not been a problem and does not see it as one.
10. Burke Wilkerson, Brian Head Resort, commented that he has received some complaints over the 15 years the snowcats have been running and his concerns are with the current code which identifies that if three people complain it is a nuisance, it would put the town in a position they would have to act.

Consensus of the Council: Staff will add the exemptions identified in the Park City code in the appropriate places in the town code. Staff will bring back to Council for approval and adoption.

6. 2015 TOWN COUNCIL MEETING SCHEDULE APPROVAL. Approval of the 2015 meeting schedule.

Nancy Leigh, Town Clerk, presented a proposed 2015 meeting schedule identifying the 2nd and 4th Tuesday of each month with the exception of December in which one meeting is held with the meetings starting at 1:00 pm. (see attached).

Council Member Wilson commented he has received comments from the public regarding the 1:00 pm meeting time. Council Member Ortler responded the Council has tried different times for Council meetings, but the 1:00 pm is most advantageous to those agencies who sometimes present to the Council.

Motion: Council Member moved to approve the 2015 Town Council Meeting schedule identifying the 2nd and 4th Tuesday of each month beginning at 1:00 pm as presented. Council Member Wilson seconded the motion.
Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member Calloway, Council Member Ortler, Council Member Wilson, Mayor Deutschlander. **Excused:** Council Member Freeberg).

G. CLOSED SESSION OF THE TOWN COUNCIL. A strategy session to discuss pending or imminent litigation and to discuss the character, professional competence, or physical or mental health of an individual.



Approved December 9, 2014

Motion: Council Member Ortler moved to enter into closed session to discuss the character, professional competence or physical or mental health of an individual. Council Member Calloway seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member Calloway, Council Member Ortler, Council Member Wilson, Mayor Deutschlander. **Excused:** Council Member Freeberg).

The Council entered into closed session at 2:30 pm.

Motion: Council Member Ortler moved to adjourn the closed session and reconvene the regular meeting of the Brian Head Town Council. Council Member Calloway seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member Calloway, Council Member Ortler, Council Member Wilson, Mayor Deutschlander. **Excused:** Council Member Freeberg).

The regular meeting of the Brian Head Town Council was reconvened at 3:20 pm.

H. ADJOURNMENT.

Motion: Council Member Wilson moved to adjourn the regular meeting of the Brian Head Town Council for November 25, 2014. Council Member Ortler seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member Calloway, Council Member Ortler, Council Member Wilson, Mayor Deutschlander. **Excused:** Council Member Freeberg).

The regular meeting of the Brian Head Town Council was adjourned at 3:20 pm.

December 09, 2014

Date Approved

Nancy Leigh, Town Clerk

